

LAW (32)

AGENCY PLAN MISSION, GOALS AND BUDGET SUMMARY

AGENCY MISSION:

The mission of the Law Department is to deliver excellent and efficient legal counseling and representation to the Executive and Legislative branches of City government as mandated by the City Charter.

AGENCY GOALS:

1. Maximize and monitor the level of client satisfaction with department services.
2. Provide effective, ongoing and proactive advice and counseling to all City departments in order to assist them in accomplishing their business objectives and to eliminate or minimize to the greatest extent possible the potential for legal liability.
3. Ensure attorney preparedness for all legal proceedings and client contacts.
4. Provide continuous professional skills training to all lawyers and staff to maximize the quality and efficiency of legal services delivered to the City.
5. Maximize the City's financial solvency and business growth through aggressive collection of City revenues, effective representation in claims and litigation for and against the City, and effective and timely advice and representation of the City in commercial and development transactions.
6. Effectively assist in community empowerment by vigorous prosecution of quality of life crimes, environmental and ordinance violations.

AGENCY FINANCIAL SUMMARY:

2003-04 <u>Requested</u>		2002-03 <u>Budget</u>	2003-04 <u>Recommended</u>	Increase <u>(Decrease)</u>
\$ 31,193,268	City Appropriations	\$ 29,335,625	\$ 27,762,416	\$ (1,573,209)
\$ 31,193,268	Total Appropriations	\$ 29,335,625	\$ 27,762,416	\$ (1,573,209)
\$ 5,009,975	City Revenues	\$ 3,811,332	\$ 3,588,689	\$ (222,643)
\$ 5,009,975	Total Revenues	\$ 3,811,332	\$ 3,588,689	\$ (222,643)
\$ 26,183,293	NET TAX COST:	\$ 25,524,293	<u>\$ 24,173,727</u>	\$ (1,350,566)

AGENCY EMPLOYEE STATISTICS:

2003-04 <u>Requested</u>		2002-03 <u>Budget</u>	04-01-03 <u>Actual</u>	2003-04 <u>Recommended</u>	Increase <u>(Decrease)</u>
217	City Positions	217	196	219	2
217	Total Positions	217	196	219	2

ACTIVITIES IN THIS AGENCY:

	2002-03 <u>Budget</u>	2003-04 <u>Recommended</u>	Increase <u>(Decrease)</u>
Administration and Operations	\$ 28,329,485	\$ 27,103,416	(1,226,069)
Legislative Liaison	1,006,140	659,000	(347,140)
	<u>\$ 29,335,625</u>	<u>\$ 27,762,416</u>	<u>\$ (1,573,209)</u>

LAW (32)

ADMINISTRATION AND OPERATIONS ACTIVITY INFORMATION

ACTIVITY DESCRIPTION: ADMINISTRATION AND OPERATIONS

The function of this activity is to provide legal services to all branches of government of the City of Detroit. These services include researching and writing legal opinions, representing the City, its agencies and employees in a variety of legal proceedings, including condemnation proceedings, civil litigation, criminal prosecution of ordinance violations and claims against the City. Services also include reviewing all City contracts, leases, development agreements, indemnity agreements, preparing ordinances and rendering legal advice.

GOALS:

1. Maximize and monitor the level of client satisfaction with department services.
2. Provide effective, ongoing and proactive advice and counseling to all City departments in order to assist them in accomplishing their business objectives and to eliminate or minimize to the greatest extent possible the potential for legal liability.
3. Ensure attorney preparedness for all legal proceedings and client contacts.
4. Provide continuous professional skills training to all lawyers and staff to maximize the quality and efficiency of legal services delivered to the City.
5. Maximize the City's financial solvency and business growth through aggressive collection of City revenues, effective representation in claims and litigation for and against the City, and effective and timely advice and representation of the City in commercial and development transactions.
6. Effectively assist in community empowerment by vigorous prosecution of quality of life crimes, environmental and ordinance violations.

MAJOR INITIATIVES:

The demand for legal services has increased commensurate with the growth in volume and diversity of the City's operations. The department is committed to providing timely assistance and improving response time to its clients to acceptable industry standards.

The Law Department has attempted to keep pace with the growing demand through increased emphasis on client service and responsiveness; enhancing skills training of lawyers, paralegals and clerical support staff; improved management and supervision of the department's many areas of practices; modernization of Law's internal practice support systems such as automated time tracking and billing systems, records management system, case management and litigation support systems; streamlining of the department's systems; and improvement of law practice aids and manuals.

The Law Department has a range of major initiatives for each division in fiscal year 2003-2004. The Tax Section began to uniformly take action in probate cases in which the respondent abandons his/her property in the City without paying city taxes or demolition fees. The Community Prosecution Unit has been established to provide the residents of the City a proactive link to law enforcement, the City and its services. We partnered with Wayne County to secure grants to fund two (2) positions in that unit. Through a combined approach, the issues that affect the community can be immediately addressed to improve the quality of life for the citizens of Detroit.

In January, 2002 the Law Department began a review of all outside legal contracts. The department first looks to retain cases that can properly be serviced in-house. We have reduced the number of section chiefs to bring the department in line with reasonable management staff ratios.

In conjunction with the 36th District Court, the Law Department is currently revamping and rewriting ordinances to increase fines revenue coming to the City, as well as making the amounts of City fines on par with those of the surrounding suburbs and the State laws. The Municipal and Ordinance Section is presently handling this project.

The Law Department has increased the Freedom of Information Act (FOIA) section as a result of increased FOIA requests. This section has experienced a minimal workload increase due to budget restraints. The FOIA section is also equipped to provide training and guidance to various departments throughout the City.

LAW (32)

PLANNING FOR THE FUTURE:

The new Corporation Counsel and Deputy Corporation Counsel are currently undertaking a new litigation reorganization of the Law Department with the following four goals in their immediate plan of action: (1) The department shall aggressively seek grant money in order to assist in funding the Community Prosecution Unit; (2) The department will work with the Police Department on risk management, legal update seminars, disciplinary hearings and DOJ investigations; (3) A third departmental goal is to combine with Neighborhood City Halls and city departments to effectively address the quality of life concerns of the community. Finally, the Law Department plans to change the concept of lawsuits with the City from “settle” to “fight.”

Our Property/Environmental Sections are taking the lead on providing in-house services to all client agencies.

The Labor/Employment Law/Workers’ Compensation/Police Trial Boards continue to provide advice and counsel and vigorous litigation support.

With six new positions, the Law Department will aggressively pursue delinquent Municipal Civil Infraction judgments. Refining the collections strategy on this important initiative will be a long-term project.

LAW (32)

ADMINISTRATION AND OPERATIONS MEASURES AND TARGETS

Goals: Measures	2000-01 Actual	2001-02 Actual	2002-03 Projection	2003-04 Target
Maximize and monitor the level of client satisfaction:				
Client training workshops ¹	40 ²	NA	NA	NA
Number of face-to-face client contacts to assess client needs ³	37	NA	NA	NA
Percentage of clients rating department services satisfactory or better	60%	NA	NA	NA
Percent "plain English" documents	100%	NA	NA	NA
Provide effective, ongoing and proactive advice to departments:				
Number of risk management reports	55	NA	NA	NA
Reporting of allegedly defective conditions ⁴	100%	NA	NA	NA
Clients' risk management training initiated	40	NA	NA	NA
Settlement write-ups completed within 10 days of agreement	80%	NA	NA	NA
Number of late filings due to attorney error	10	NA	NA	NA
Number of defaults due to attorney error	2	NA	NA	NA
Percent of timely responses to written assignments	70%	NA	NA	NA
Accuracy of assignment, activity & reserves statistics	90%	NA	NA	NA
Provide continuous professional skills training to all lawyers and staff:				
Percentage of professional staff attending at least one external training program per year	N/A	NA	NA	NA

***Areas designated with NA represent information that was not available at the time of the printing of this document.**

¹For these measures, the following constitute sections within the department: Litigation, Labor/WC, 36th District Court, Claims, Municipal, Contracts, Tax/RC, Property/Environmental and Appeals for a total of 9 sections.

² The actual numbers were not provided in budget submission of Dec. 2001.

³Major client agencies are: Mayor's Office, City Council, Police, Public Works, Transportation, Water and Sewerage, Planning and Development, Buildings and Safety Engineering, Finance, Public Lighting, Human Resources, Fire, Recreation, Budget, Zoo, Health, Municipal Parking, and Civic Center for a total of 18.

⁴Pre-litigation claims and all litigation actions, to client departments and Risk Management

LAW (32)

ADMINISTRATION AND OPERATIONS MEASURES AND TARGETS (Continued)

Goals: Measures	2000-01 Actual	2001-02 Actual	2002-03 Projection	2003-04 Target
Maximize the City's financial position through aggressive collection of City revenues, effective representation in claims and litigation, and effective and timely advice and representation in commercial and development transactions:				
Collection opportunities (fees, costs or sanctions) ⁵	\$65,500	NA	NA	NA
Total levels of revenue collections ⁶	\$15,000,000	NA	NA	NA
Bankruptcy collections	\$950,000	NA	NA	NA
Municipal Parking collections	\$1,000,000	NA	NA	NA
Income Tax collections (civil and criminal)	N/A	NA	NA	NA
General accounts receivable amounts collected	\$60,000	NA	NA	NA
Delinquent Utility User taxes collected	N/A	NA	NA	NA
Property Tax Collections	N/A	NA	NA	NA
Days between referral and collection initiation	30-60	NA	NA	NA
Number of cases disposed of without payout (includes labor and workers (compensation)	475	NA	NA	NA
Participation in business development/expansion transactions	N/A	NA	NA	NA
Participation in City/related entities' bond transactions	N/A	NA	NA	NA
Bonds/Insurance Certificates Reviewed	750	NA	NA	NA
Involvement in City commercial transactions ⁷	1,700	NA	NA	NA
Development agreements	N/A	NA	NA	NA
Acquisition deed proceedings	30	NA	NA	NA
Land contract collection actions	25	NA	NA	NA

***Areas designated with NA represent information that was not available at the time of printing of this document.**

⁵Includes judgments for the City; Court discretion on awards and amounts limits ability to increase collection amounts.

⁶Includes collection of bankruptcy, municipal parking, income tax, property tax, general accounts receivable, general fees and utility users tax delinquencies; and environmental cost recoveries.

⁷Contracts Section/Commercial Division: including advice/counseling, negotiation, contract drafting and review for substance and form for standard and non-standard contracts.

LAW (32)

ADMINISTRATION AND OPERATIONS MEASURES AND TARGETS (Continued)

Goals: Measures	2000-01 Actual	2001-02 Actual	2002-03 Projection	2003-04 Target
Total amount of settlements paid against City	N/A	NA	NA	NA
Total amount of arbitration paid against City	N/A	NA	NA	NA
Total amount of judgments paid against City	N/A	NA	NA	NA
Number of cases handled by outside counsel ⁸	325	NA	NA	NA
Delinquent Property Tax Cases Referred	4,200	NA	NA	NA
Property Tax Payment Plans Adopted	1,300	NA	NA	NA
Foreclosure cases pending (close of fiscal year)	500	NA	NA	NA
Foreclosure cases filed	750	NA	NA	NA
Foreclosure cases closed	N/A	NA	NA	NA
Parcels taken	N/A	NA	NA	NA
SEV/Title taken	N/A	NA	NA	NA
Total tax cases filed in court	N/A	NA	NA	NA
Tax Tribunal Cases Pending (close of fiscal year)	300	NA	NA	NA
Tax Tribunal Cases Filed	85	NA	NA	NA
Tax Tribunal Cases Closed	51	NA	NA	NA
Industrial Facility Exemption Certificates	N/A	NA	NA	NA
Total Number of Cases pending at start of fiscal year	N/A	NA	NA	NA
Total number of trials	N/A	NA	NA	NA
Total number of appeals pending (close of fiscal year)	N/A	NA	NA	NA
FOIA requests – all	N/A	NA	NA	NA
Warrants reviewed - ordinance enforcement	N/A	NA	NA	NA
Municipal opinions rendered (written and oral) (covering Municipal Affairs Section)	2,776	NA	NA	NA
Contracts opinions rendered (written and oral)	N/A	NA	NA	NA
Labor cases to arbitration	N/A	NA	NA	NA
Labor MERC cases	N/A	NA	NA	NA
EEOC & MDCR claims	N/A	NA	NA	NA
Worker Compensation redemptions	N/A	NA	NA	NA
Civil service grievances	N/A	NA	NA	NA

*Areas designated with NA represent information that was not available at the time of printing of this document.

⁸Cases which are contracted out for reasons other than conflicts and applicable insurance coverage, whether the city is a plaintiff or defendant. FY01 and FY02 statistics include multiple

LAW (32)**ADMINISTRATION AND OPERATIONS MEASURES AND TARGETS (Continued)**

Goals: Measures	2000-01 Actual	2001-02 Actual	2002-03 Projection	2003-04 Target
Veterans preference hearings	2	NA	NA	NA
Water Department contractor claims	6	NA	NA	NA
Water Department opinions rendered	139	NA	NA	NA
Water Department damage claims hearings	N/A	NA	NA	NA
DWSD Property Damage Cases pending (close of fiscal year)	N/A	NA	NA	NA
DWSD Property Damage Cases Filed	N/A	NA	NA	NA
DWSD Property Damage Cases Closed	N/A	NA	NA	NA
Disputed Water Bill Appeals – Cases Pending (close of fiscal year)	N/A	NA	NA	NA
Subpoenas	953	NA	NA	NA
General Municipal Work (Ordinances, Resolutions, Executive Orders)	368	NA	NA	NA
Municipal Public Hearings / Formal meetings	1,603	NA	NA	NA
Municipal – Administrative Proceedings	11	NA	NA	NA
Police Trial Board Cases	191	NA	NA	NA
Information requests handled by Police Legal Advisors	1,060	NA	NA	NA
Appearance notices handled by Police Legal Advisors	1,680	NA	NA	NA
Labor/Employment Investigations	73	NA	NA	NA
Activity Costs	\$27,616,879	\$30,156,583	\$28,329,485	\$27,103,416

CITY OF DETROIT
Law Department
Financial Detail by Appropriation and Organization

Administration	2002-03 Redbook		2003-04 Dept Final Request		2003-04 Mayor's Budget Rec	
	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
Administration and Operations						
<i>APPROPRIATION</i>						
<i>ORGANIZATION</i>						
00527 - Administration and Operations						
320010 - Administration	217	\$28,329,485	217	\$30,534,268	219	\$27,103,416
APPROPRIATION TOTAL	217	\$28,329,485	217	\$30,534,268	219	\$27,103,416
ACTIVITY TOTAL	217	\$28,329,485	217	\$30,534,268	219	\$27,103,416

CITY OF DETROIT
Budget Development for FY 2003 - 2004
Appropriations - Summary Objects

	2002-03 Redbook	2003-04 Dept Final Request	2003-04 Mayor's Budget Rec
AC0532 - Administration			
<i>A32000 - Law Department</i>			
SALWAGESL - Salary & Wages	13,346,558	14,460,939	13,692,467
EMPBENESL - Employee Benefi	6,620,525	7,744,601	7,912,601
PROFSVCSL - Professional/Con	3,971,701	3,906,701	1,965,701
OPERSUPSL - Operating Suppli	301,042	331,969	299,382
OPERSVCSL - Operating Servic	3,897,659	3,873,058	3,089,765
CAPEQUPSL - Capital Equipmei	80,000	105,000	87,500
OTHEXPSSL - Other Expenses	112,000	112,000	56,000
<i>A32000 - Law Department</i>	<i>28,329,485</i>	<i>30,534,268</i>	<i>27,103,416</i>
AC0532 - Administration	28,329,485	30,534,268	27,103,416
Grand Total	28,329,485	30,534,268	27,103,416

LAW (32)

LEGISLATIVE LIAISON ACTIVITY INFORMATION

ACTIVITY DESCRIPTION: LEGISLATIVE LIAISON

The City of Detroit engages the services of a legislative liaison in Lansing and in Washington, D.C. The appropriation pays for an office in Lansing and a contract for services in Washington. The Mayor's Office provides the oversight of these contracts.

GOALS:

1. Represent the City's interest in all federal and state legislative matters pertaining to or having an effect upon the City of Detroit.
2. Keep the City Administration informed of the latest legislative attitudes and actions on matters pertaining to or having an effect upon the City of Detroit.

CITY OF DETROIT
Law Department
Financial Detail by Appropriation and Organization

Lansing Office	2002-03		2003-04		2003-04	
	Redbook		Dept Final		Mayor's	
Legislative Liaison			Request		Budget Rec	
	FTE	AMOUNT	FTE	AMOUNT	FTE	AMOUNT
<hr/>						
<i>APPROPRIATION</i>						
<i>ORGANIZATION</i>						
00255 - Legislative Liaison						
320030 - Lansing Office	0	\$706,140	0	\$659,000	0	\$659,000
320040 - Federal Legislative Services	0	\$300,000	0	\$0	0	\$0
	<hr/>		<hr/>		<hr/>	
APPROPRIATION TOTAL	0	\$1,006,140	0	\$659,000	0	\$659,000
	<hr/>		<hr/>		<hr/>	
ACTIVITY TOTAL	0	\$1,006,140	0	\$659,000	0	\$659,000

CITY OF DETROIT
Budget Development for FY 2003 - 2004
Appropriations - Summary Objects

	2002-03 Redbook	2003-04 Dept Final Request	2003-04 Mayor's Budget Rec
AC1032 - Legislative Liaison			
<i>A32000 - Law Department</i>			
PROFSVCSL - Professional/Con	950,000	602,860	602,860
OPERSUPSL - Operating Suppli	5,140	5,140	5,140
OPERSVCSL - Operating Servic	51,000	51,000	51,000
<i>A32000 - Law Department</i>	<i>1,006,140</i>	<i>659,000</i>	<i>659,000</i>
AC1032 - Legislative Liaison	1,006,140	659,000	659,000
Grand Total	1,006,140	659,000	659,000

CITY OF DETROIT
Budget Development for FY 2003 - 2004
Appropriation Summary - Revenues

	2001-02 Actuals	2002-03 Redbook	2003-04 Dept Final Request	2003-04 Mayor's Budget Rec	Variance
A32000 - Law Department					
<i>00094 - Administration and Operation</i>					
448115 - Other Fees	(2,722)	0	0	0	0
<i>00094 - Administration and Operation</i>	(2,722)	0	0	0	0
<i>00527 - Administration and Operations</i>					
449160 - Personal Services-Airp	134,370	40,000	66,399	44,000	4,000
449175 - Personal Services-Ced	2,055,204	800,000	1,466,555	800,000	0
449180 - Personal Services-DPV	2,516	0	0	0	0
449190 - Personal Services-Hou	(371,269)	575,000	575,000	575,000	0
449200 - Personal Services-Mpd	6,150	100,000	100,000	100,000	0
449205 - Personal Services-Nsd	16,107	10,000	33,357	33,357	23,357
449215 - Personal Services-DOJ	258,415	1,250,000	1,626,655	1,000,000	(250,000)
449220 - Personal Services-Wat	4,335,482	856,332	934,216	856,332	0
474100 - Miscellaneous Receipts	193,327	180,000	207,793	180,000	0
<i>00527 - Administration and Operations</i>	6,630,302	3,811,332	5,009,975	3,588,689	(222,643)
<i>10206 - Drug Enforcement Prosecution</i>					
432330 - Grants-Other	56,718	0	0	0	0
<i>10206 - Drug Enforcement Prosecutio</i>	56,718	0	0	0	0
A32000 - Law Department	6,684,298	3,811,332	5,009,975	3,588,689	(222,643)
Grand Total	6,684,298	3,811,332	5,009,975	3,588,689	(222,643)

CITY OF DETROIT
MAYOR'S 2003/2004 RECOMMENDED BUDGET

Law Department

Appropriation	REDBOOK FY	DEPT REQUEST	MAYORS FY
Organization	2002 2003 FTE	FY 2003 2004 FTE	2003 2004 FTE
Classification			
00527 - Administration and Operations			
320010 - Administration			
Corp Counsel - Election Comm	1	1	1
Deputy Corporation Counsel	1	1	1
General Manager - Law	1	1	1
Admin Asst GD II - Law	2	2	2
Executive Legal Secretary	1	1	1
Executive Secretary II	1	1	1
Chief Asst Corporation Counsel	8	8	6
Supervising Asst Corp Counsel	17	17	17
Legislative Asst Corp Counsel	1	1	1
Sr Asst Corporation Counsel	28	28	28
Assistant Corporation Counsel	55	55	56
Asst Corp Counsel - Exempt	2	2	2
Librarian IV - Law Reference	1	1	1
Records Manager	1	1	1
Head Legal Investigator	1	1	1
Legal Investigator	9	9	9
Microcomputer Support Splst	1	1	1
Legal Assistant	24	24	25
Senior Legal Secretary	7	7	6
Legal Secretary	38	38	37
Principal Clerk	2	2	2
Senior Clerk	3	3	3
Clerk	9	9	9
Office Assistant II	2	2	2
Messenger	1	1	1
Office Assistant III	0	0	3
Records Systems Specialist II	0	0	1
Total Administration	217	217	219
Total Administration and Operations	217	217	219
Agency Total	217	217	219